

<b>COMBINED DECLARATION AND POWER OF ATTORNEY</b>	ATTORNEY'S DOCKET NO.  43339-88004
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As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:  
Interactive Virtual Reality Performance Theater Entertainment System

the specification of which:

### UTILITY PATENT APPLICATION

- [ ☒ ] (a) is attached hereto.  
 [ ☐ ] (b) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_ (if applicable).

### PCT FILED APPLICATION ENTERING NATIONAL PHASE

- (c) was described and claimed in International Application No. \_\_\_\_\_ filed \_\_\_\_\_  
 and as amended on \_\_\_\_\_ (if any).

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

### PRIORITY CLAIM

I hereby claim priority benefits under Title 35, United States Code, §120, of any application(s) for patent or inventor's certificate listed below having a filing date before that of the application on which priority is claimed:

- [ ☐ ] (d) no such applications have been filed.  
 [ ☒ ] (e) such applications have been filed as follows:

#### EARLIEST APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS PRIOR TO SAID

Country	Application No.	Date of Filing	Date of Issue	Priority Claimed
US	60/144,492	July 19, 1999		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

#### ALL APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS PRIOR TO SAID APPLICATION

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**CONTINUATION-IN-PART**

(Complete This Part Only If This Is A Continuation-In-Part Application)

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this continuation-in-part application:

Application Serial No. Filing Date Status (patented, pending, abandoned)

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Peter S. Gilster, Reg. No. 25,337  
Donald J. Fitzpatrick, Reg. No. 25,583  
Glenn K. Robbins II, Reg. No. 33,275  
Linda L. Lewis, Reg. No. 31,212

Ari M. Bai, Reg. No. 38,726  
Randy L. Cenis, Reg. No. 44,584  
Kelly K. Burris, Reg. No. 46,361  
K. Scott O'Brian, Reg. No. 42,946

SEND CORRESPONDENCE TO:  
Kelly K. Burris  
Greensfelder, Hemker & Gale, P.C.  
Intellectual Property Group  
10 South Broadway, Suite 2000  
St. Louis, Missouri 63102-1774

DIRECT TELEPHONE CALLS TO:  
  
(314) 241-9090

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Randy T. Sprout

Inventor's Signature: *Randy T. Sprout*

Date: 7/17/00 Country of Citizenship: United States of America

Residence:

Post Office Address: 4600 Cliff Forest, Wildwood, Missouri 63089

Full name of second inventor: Susan M. Sprout

Inventor's Signature: *Susan M. Sprout*

Date: 7/17/00 Country of Citizenship: United States of America

Residence:

Post Office Address: 4600 Cliff Forest, Wildwood, Missouri 63089

Applicant or Patentee: SPROUT ET AL. Docket No. 43339-88002  
 Serial or Patent No.: To Be Assigned Filed or Issued: Herewith  
 For: INTERACTIVE VIRTUAL REALITY PERFORMANCE THEATER ENTERTAINMENT SYSTEM

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☒ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Ham on Rye Technologies, Inc.  
 ADDRESS OF CONCERN: 4600 Cliff Forest, Wildwood, Missouri 63069

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: INTERACTIVE VIRTUAL REALITY PERFORMANCE THEATER ENTERTAINMENT by inventor(s): Randy T. Sprout and Susan M. Sprout  
 described in: SYSTEM  
☒ the specification filed herewith.  
☐ application serial no. \_\_\_\_\_ filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(c).

Name: \_\_\_\_\_

Address \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention availing to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Susan M. Sprout  
 TITLE OF PERSON OTHER THAN OWNER: owner  
 ADDRESS OF PERSON SIGNING: 4600 Cliff Forest, Wildwood, MO 63069  
 SIGNATURE: [Signature] DATE: 7/16/99

09647388-07400

Applicant or Patentee: SPROUT ET AL. Docket No. 43339-88002  
 Serial or Patent No.: To Be Assigned Filed or Issued: Herewith  
 For: INTERACTIVE VIRTUAL REALITY PERFORMANCE THEATER ENTERTAINMENT SYSTEM

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN

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☒ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

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 described in: SYSTEM  
☒ the specification filed herewith.  
☐ application serial no. \_\_\_\_\_ filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Name: \_\_\_\_\_

Address \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention availing to their status as small entities. (37 CFR 1.27)

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NAME OF PERSON SIGNING: Randy T. Sprout  
 TITLE OF PERSON OTHER THAN OWNER: owner  
 ADDRESS OF PERSON SIGNING: 4600 Cliff Forest, Wildwood, MO 63069  
 SIGNATURE: Randy T. Sprout DATE: 7/16/99

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